IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 4826 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

VIRAL C SHAH

Versus

STATE OF GUJARAT

Appearance:

MR BHARGAV N BHATT for Petitioner No. 1

MRS HANSA PUNANI, APP for Respondent No. 1

NANAVATI & NANAVATI for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE R.P.DHOLAKIA

Date of decision: 13/10/2003

ORAL JUDGEMENT

Learned counsel for the petitioner, Mr.Bhargav

N.Bhatt has made a statement at the bar that in this matter investigation is over and 'C' summary filed by the investigating agency has been accepted by the Court and, therefore, this petition has become infructuous and hence, he seeks permission to withdraw this petition.

Permission granted. Disposed of as withdrawn as having become infructuous. Rule is discharged. Interim relief stands vacated. In view of the fact that 'C' summary has been accepted by the Court, petitioner is entitled to take back his passport which he has deposited before the concerned police station i.e. Shahibaug Police Station pursuant to the order dated 12-8-2002 passed in this matter. Hence, investigating agency is directed to give back the passport to the petitioner on proper identification and on acknowledging receipt thereof. Direct service is permitted.

(R.P.DHOLAKIA,J.)
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